

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1099 OF 2006
IN
CRIMINAL APPEAL NO.1017 OF 2006**

Satish Ashok Pujari	...Applicant
VS.	
The State of Maharashtra	...Respondent
Mr.Vijay Killedar for the Applicant	
Mr.A.S.Shitole,A.P.P. for State	

**CORAM: A.S.OKA, J.
DATE : NOVEMBER 17,2006.**

P.C.:

1. Heard Advocate for the Applicant and the learned A.P.P. for State. The Appeal against conviction of the Applicant for offences punishable under sections 363 and 376 of the Indian Penal Code has been admitted. The maximum substantive sentence is of three years. The Applicant was on bail throughout the trial.

2. The perusal of the notes of evidence shows that the prosecutrix did not support the prosecution and was declared hostile. The conviction is based only on the evidence of the Medical Officer who stated the history of the offence given by the prosecutrix. No allegation has been made as regards misuse of the liberty granted to the Applicant during the pendency of the trial. The Appeal is not likely to be heard before the period of sentence is over. Though strictly it will not be relevant, but it must be recorded that the Advocate for the Applicant states that now the Applicant and

the prosecutrix have married.

3. Application is disposed of by passing the following order:

i) The Applicant shall be enlarged on same bail on which he was enlarged during the pendency of the trial subject to filing fresh bail bonds.

JUDGE